



MEETING OF THE PORT PHILLIP CITY COUNCIL

MINUTES

3 MAY 2023



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**MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL HELD
3 MAY 2023 IN ST KILDA TOWN HALL AND VIRTUAL VIA WEBEX**

The meeting opened at 6:30pm.

IN ATTENDANCE

Cr Cunsolo (Chairperson), Cr Baxter, Cr Bond, Cr Clark, Cr Crawford, Cr Martin, Cr Nyaguy, Cr Pearl, Cr Sirakoff.

Lachlan Johnson, Acting Chief Executive Officer, Brian Tee, Acting General Manager Governance, Capability and Experience, Lauren Bialkower, Acting General Manager City Growth and Development, Allison Kenwood, General Manager Community Wellbeing and Inclusion, Peter Liu, Acting General Manager Operations and Infrastructure, Xavier Smerdon, Head of Governance, Emily Williams, Council Business Advisor, Charmaine Mackrodt, Governance and Council meetings Officer, Mark Thompson, Acting Manager Maintenance & Assets, Che Sutherland, Manager Partnerships and Transport, Fiona van der Hoeven, Head of City Strategy.

The City of Port Phillip respectfully acknowledges the Traditional Owners of this land, the people of the Kulin Nations. We pay our respect to their Elders, past and present. We acknowledge and uphold their continuing relationship to this land.

REQUESTS TO ATTEND BY ELECTRONIC MEANS

MOVED Crs Martin/Baxter

That Council approves the request to attend by electronic means received by Councillor Crawford.

A vote was taken and the MOTION was CARRIED.

1. APOLOGIES

Nil.

2. CONFIRMATION OF MINUTES

MOVED Crs Bond/Martin

That the minutes of the Meeting of the Port Phillip City Council held on 19 April 2023 be confirmed.

A vote was taken and the MOTION was CARRIED unanimously.



3. DECLARATIONS OF CONFLICTS OF INTEREST

Nil declared at this stage of the Council Meeting.

Cr Pearl declared a Conflict of Interest in relation to item 13.2 – Financial Update - Third Quarter 2022-23 Financial Review when the motion was tabled.

ACKNOWLEDGEMENT OF SERVICE

GEORGINA TSOLIDIS – OUTGOING CHAIR MULTICULTURAL ADVISORY COMMITTEE

Cr Clark acknowledged the work of Georgina Tsolidis as outgoing Chair of the Multicultural Advisory Committee. Georgina was a foundation member of the Committee, having been appointed at the Committee's formal commencement in 2019 and has served as Chair since then until April 2023. Georgina was also a member of the Older Persons Advisory Committee for many years.

Georgina's achievements also included the recommendation that Council join the Welcoming Cities network, which was realised in 2022, and the delivery of a diverse and ambitious action plan for the Multicultural Advisory Committee's work.

Georgina represented the Multicultural Advisory Committee at the Victorian Multicultural Commission's annual Cultural Diversity Week Gala, the Federation of Ethnic Communities Council Australia conference and other events. As Chair, Georgina emceed a number of Council's multicultural programs around the City, was an active representative at community events and a dynamic advocate for culturally and linguistically diverse residents.

On behalf of the Council and Committee, Cr Clark thanked Georgina for their years of work on the Multicultural Advisory Committee, acknowledged with gratitude the time and energy that they invested in the Committee, and recognised their contribution to making our City more inclusive and supportive of diverse communities.

STEFAN MITRIK– OUTGOING COORDINATOR TRANSPORT SAFETY

Mayor Cunsolo recognised Stefan Mitrik, who will be retiring from the City of Port Phillip later this month after 31 years of dedicated service. Stefan has dedicated their career to road user safety in the City of Port Phillip with a huge amount of innovative and Australia-first infrastructure solutions. Stefan has a deep love for the City, and has always shown a strong commitment to protecting and enhancing residential amenity - there are very few locations in Port Phillip where he wouldn't have improved safety over the years.

Stefan has helped to make the City of Port Phillip one of the safest municipalities for all road users in Australia by implementing 40km/h across 90% of the road network and securing millions of dollars of external funding to remove black spots from our roads.

Stefan has mentored many engineers over the last three decades and has passed on their passion for sustainable transport and safety, especially for pedestrians to the next generation of traffic engineers. Notable projects include reducing Dorcas Street down to one lane of traffic each way and adapting the parking to 30 degrees to install bike lanes after very contested community consultation which saw one side of the road support the changes and the other rejecting them. Once changes were in place, the side previously not in favour requested them to be made to their side too. He is also immensely proud of designing and installing the first roundabouts with zebra crossings for pedestrians in Cecil St, South Melbourne.

The Mayor congratulated Stefan on the amazing legacy they leave behind and wished them luck on the next step of their journey.



4. PUBLIC QUESTION TIME AND SUBMISSIONS

Public Questions are summarised below. The submissions were made verbally and can be listened to in full on our website: <http://webcast.portphillip.vic.gov.au/archivephp>.

Public Question Time:

The following public questions were asked in relation to the frequent severe flooding at the bottom of St Vincent Street, Albert Park (near Richardson Street).

- **Bill Conden:** The flooding situation has now become a major issue for the houses towards the bottom end of St Vincent Street with both sides of the street being affected. Rain often falls during the night and many of us now wake in the night to the sound of rain and realise we need to get up to move our cars to higher ground. When will this be fixed and can we have a timeline. How will this timeline and progress be communicated?
- **Sam Barlow:** Since my family moved to Albert Park 6 months ago, there have been two notable incidents on 23 March 2023 and 15 April 2023. On both occasions our car was parked out the front of our house and was quickly submerged in water. We were lucky both times that someone was home; and our neighbour alerted us and we could try to move the car. However after the second time our car would not start and has had to be towed away to the service centre, where two weeks later they are still trying to diagnose what is wrong. Water damage in cars is notoriously hard to fix, and I have been told two other cars parked on our street have been written off in recent years. I can see a situation in the future when we are away and there is heavy rainfall, and no one will be there to move the car. Who should we call when we have flooding, both during and after business hours? What can we expect to receive (e.g., a truck to siphon away the water to limit damage to people's cars parked on the street)?
- **Bernard Sheehy:** Last year my car was parked legally, when I returned home that evening my car was standing in 40cm of water, causing expensive damages to the vehicle. The Council were not liable for these damages. As the road and particularly the gutters often flood on St Vincent Street, what does the Council propose to do to rectify this situation?
- **Linda Conden:** After 11 years of flooding out the front of our houses, we've tried on numerous occasions, sent snap send and solves, sent texts to Councillors, it's come to a head for us all and we urgently need something done. We understand that modelling has been undertaken on the drainage system and we have since heard that because of the sludge in the gutters, many of the drains are only about 25% efficient, so I can understand that there is a big problem. We had a truck that came late last year/early this year and removed at least eight truckloads of sludge from the gutters in our street, but it has had little effect on the intensity of the flooding. The other problem we have is, there are lots of rumours around, whether it be a blocked drain, wall or concrete from a utility company blocking the drain. Regardless, we really need to know what is going to be done to fix this problem. Is it time for the Council to consider raising the level of the road to ensure that the low point in the road does not become a greater risk with climate change, as our road has been identified as a low-lying area at risk of flooding.
- **Claire Shoemake:** I have lived in Albert Park for 6 years now and had many instances of flooding. I was away for the most recent one in March, and thankfully for my lovely neighbours who were able to move my car into the central reservation, without this, it absolutely would have flooded. The severity and frequency of the flooding has become

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noticeably worse since a utility company carried out works last year on Richardson Street. What resources are the Council going to be putting behind this, both monetary and personnel wise to get this issue fixed?

Mark Thompson, Acting Manager Maintenance and Assets thanked the affected residents for coming along to the meeting and alerting Council of this issue and provided a response to their questions collectively advising that a moderate storm event in October 2022 had un-anticipated impacts. The following day, Council officers using CCTV investigated the incident and found a 375mm Council pipe had recently been cut and capped off with concrete. The utility provider and contractors undertaking work in this area were informed and have admitted liability for capping the pipe and in affect decommissioning this essential line. The 375mm pipe function was to drain water from the West side of St Vincent Street directly into the Melbourne Water 1800mm main drain located on the South side of Richardson Street, Albert Park. A direct reconnection was not possible and a new design avoiding all existing services to traverse Richardson street is required. Officers have been working with the utility providers to find a solution to this issue raised by local residents.

In response to Sam Barlow's question, properties in St Vincent Street, Albert Park are located within a flood zone which has a Special Building Planning Overlay being Schedule 3. The relevant flood authority is Melbourne Water and in flooding emergencies the State Emergency Services is the responding Agency.

In response to Bill Conden and Bernard Sheehy's questions, the preferred design solution is to install new twin 300mm pipes from St Vincent Street to an existing pit in Richardson street. Council is negotiating an agreement with the gas distributor to traverse under the 300mm High Pressure gas line in Richardson Street which we expect to have signed in coming weeks. The depth of the gas pipe is 1.5m, to obtain the fall and work within the parameters of existing infrastructure, the stormwater pipes will need to be laid within the gas exclusion zone. Currently, there is an industry shortage of stormwater pipes with supply delays of six months. To expedite the design solution Council pre-ordered pipes with expected delivery now mid-June. This is a priority project however the earliest availability of Council contractors is early July and we are still working with the gas distributor to ascertain if their contractors can deliver this project earlier. We will endeavour to bring this timeline forward if the contractor and pipe availability changes.

In response to Linda Conden's question, raising the height of the road is not a recommended or viable option as it would have a negative impact to the existing properties freeboard. The Melbourne Water main 1800mm pipe is back flowing into Council's 1050mm pipe which is located on the eastern side of St Vincent Street. Officers have been unable to determine the cause of the backflow as the Melbourne Water pipe is not accessible. The top of the Melbourne Water pipe is 2m deep and the nearest exposed entry pit is 220m away in Bridgeport Street West. This single entry is too far to implement a safe confined spaces procedure. Council will be installing an additional access pit into our 1050mm pipe close to the Melbourne Water pipe connection point, so we will be able to attempt to dewater, CCTV and hopefully locate the cause of the back-flow issue. This information will be provided to Melbourne Water.

In response to Claire Shoemake's question, Council officers have been working with Melbourne Water since 2018 on the Pickles Street catchment providing Council's flood model, surveying and providing condition and functionality of Melbourne Water assets to them in this area. This data has been provided to assist Melbourne Water with the potential future replacement upgrade of Melbourne Water's Pickles Street outlet pump station.

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The Mayor adjourned the meeting at 6.53pm due technical issues with Council's livestream.

The Meeting resumed at 7.03pm

The following Councillors asked follow up questions in relation to ongoing flooding issues raised on St Vincent Steet, Albert Park:

- **Cr Martin:** Is there a temporary solution which would allow residents to park on footpaths or median strips when heavy rainfall is predicted, to avoid cars being damaged in the interim?

Lachlan Johnson, Acting Chief Executive Officer advised that as Mark Thompson outlined, the solution is not something that can be addressed quickly and undertook to have a look at what temporary solutions can be provided to the residents in the interim, whether that be temporary parking arrangements, or other solutions.

- **Cr Baxter:** Does Council have protocols when third party companies damage or destroy Council infrastructure as has occurred in this case? Are these protocols publicly available and how do we deal with these cases?

Mark Thompson, Acting Manager Maintenance and Assets advised that the City of Port Phillip has recently become one of the first Councils to implement permitting under the Road Management Act which means that utility companies that work in the Road Reserve over eight square metres need to have a permit for that. Previously they were exempt from applying for permits. Now we have greater control over where utility companies are working. Our CCTV program is proactive in looking at areas that come within our stormwater network. Asset protection officers are able to check the CCTV prior to work taking place and afterwards also.

- **Cr Clark:** Is it possible to gain a timeframe out of Melbourne Water to provide residents?

Mark Thompson Acting Manager Maintenance and Assets advised that Council does not have any timeframes. We supplied information on the Pickles Street catchment to Melbourne Water in 2018. They indicated that this pump at the end of the outlet was coming to the end of its life and we did some modeling with Melbourne Water to look at resizing that pump. We do not have any timelines for when they would be doing any works but undertook to make more enquiries of Melbourne Water in relation to this.

- **Cr Bond:** If this was a private building company that had the impacts on our street, I imagine there would be some sort of penalty or fine due to the impact and damage to Council assets? Is there something along those lines that we can pursue with this particular service provide?

Lachlan Johnson, Acting Chief Executive Officer advised Council has powers under the Road Management Act to both permit and infringe people who fail to get a permit or fail to comply with conditions that include service authorities. Once this damage to Council's drainage network became known to us, it was raised with the relevant service authority and their contractor, who have admitted liability and are working with us to try and remedy the situation. Given the damage that occurred last year and the impact that this is having, we would like to get it done very quickly. In the event that service authorities or others cause damage to Council assets and they don't rectify the damage or admit liability, there are provisions under the Road Management Act which enables us to take enforcement action against them, including compelling them to fix the damaged assets or seeking financial compensation for the damage caused. The City of Port Phillip is one of the first municipalities to start using the Road Management Act for this, and the Road Management Act provides



significant powers to Council. A lot of other Councils utilise the local law which is what we used to do as well. The powers under the Road Management Act are much more significant and there are a number of tools available to Council to try and avoid this happening.

- **Cr Sirakoff:** If there is a direct relationship between the damage to residents' property, whether that be houses or cars. Is there any way that they can go about claiming damages through the company that is liable for causing damage to Council property?

Lachlan Johnson, Acting Chief Executive Officer advised that residents are able to submit insurance claims to Council. Each of those insurance claims are assessed by Council's insurer. In this case we have a third party who have damaged Council assets and we would be referring any claims that arise from those damages through to them. The Acting CEO encouraged any of the residents who have raised concerns about the referenced flooding to contact Council and officers can ensure that this occurs.

- **Cr Nyaguy:** In relation to timelines, if we upgrade the pipe on St Vincent Street, we are looking at solving most of the flooding, but it won't be until we do the further works on Richardson Street to get that access to the Melbourne Water drain that we would be able to fully deal with the one in 100 year events?

Mark Thompson, Acting Manager Maintenance and Assets advised that the current service level in the area is a one in 20 year event, judged by our flood modelling and updated flood modelling. Upgrading and improving to a twin 300 pipe will give us that service level. Above that service level there would be upgrades to the overall drainage network through Melbourne Waters Intervention.

Council Report Submissions:

Item 9.1 Older Persons Advisory Committee Annual Report 2022

- Coralie Ling
- Wendy Priddle

Item 10.1 Cowderoy Street turn ban consultation findings

- Leigh Hardy
- Peter Denson

5. COUNCILLOR QUESTION TIME

- **Cr Nyaguy:** I have had a lot of interest over the last few months in our roll out of protected bike lanes across the municipality. We are five years into a 10 year plan and there are a number of items in outcome one that I think are of interest to the community in the terms of implementation. Can officers provide a progress update of the implementation of the Integrated Transport Strategy?

Che Sutherland, Manager Partnerships and Transport advised that , a four year review of the Integrated Transport Strategy is currently being prepared and a report on this will be brought to Council in the middle of the year.

Many of the 42 actions in the Strategy are broad and ongoing, and while most are showing significant progress, many will also will take time and external stakeholder support and resources to complete. Seven actions are fully complete including development and implementation of the Parking Management Policy, and the new Car Share Policy and Guidelines.

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With regards to Outcome 2, “Our community is healthier because it has safe, connected, and convenient walking and bike riding choices”. Some of the delivery highlights from the last four years include:

- *Upgrading the intersection of Wellington Street to improve traffic safety and pedestrian and bike riding facilities*
- *Delivering 12 pedestrian safety projects, including raised pavement zebra and yellow top crossings, and kerb buildouts to shorten crossing distances*
- *Working with seven of our 20 local schools to identify ways to make it safer to walk to school, and working across all our schools to promote Walk2School Month and Ride2School Day each year*
- *Completing the Moray Street bike route in 2018, including Victoria’s first two protected roundabouts*
- *Completing the Garden City bike route in March 2022*
- *Delivery of secure bike parking (marketed as a Parkiteer) at Balaclava station through the Marlborough House development*
- *Running annual Ride to Work Days, bike confidence training, monthly pop-up bike repairs, two festivals of everyday riding and making two cargo bikes available to be loaned through Elwood Toy Library so that we can support our community to ride bikes*
- *And last but not least, following nine years of advocacy by Council, multiple serious crashes and a fatality, the Victorian Government has delivered the St Kilda Road protected bike lanes from Dorcas Street to the St Kilda Junction (Junction works in progress as we speak).*

These and other achievements will be summarised in the Strategy Review.

- **Mayor Cunsolo:** There have been several concerning reports in the media recently about Acland Street. What are Council officers doing to address the issues raised?

Lauren Bialkower, Acting General Manager City Growth and Development advised that Council is certainly aware of trader and community concern involving Acland Street. The issues are multi-faceted and as such a wide range of responses are being worked on. The Plaza is a key focus with landscaping concept work being done as well as encouragement of greater outdoor trading and event opportunities.

The colourful temporary seating was removed earlier this week and won’t be replaced in the near future. The larger granite seating will be considered as part of the landscaping project. Wires installed above the Plaza area will soon host coloured catenary lighting. This will beautify the street but also respond to feedback from traders and visitors about lack of lighting in the evenings. There is currently a mini golf/carousel activation that will be present for two weeks only. Colourful decals were affixed to the pavement on Monday as part of a ‘Love My Place’ grant. They have received a warm response from local traders and serve to brighten what can be a barren space.

Council is working with Propella.ai to undertake a Retail Mapping Process. As part of this an analysis has been undertaken of the 20-minute neighbourhood surrounding the precinct, including the local supply and demand of people, infrastructure, retail businesses and services. This information is being used to recommend the highest and best retail uses for the precinct, that will bring benefit to customers, the surrounding community and help create sustainable retail businesses. Providing this information is one of the ways Council can assist landlords and agents in securing tenants that have the best chance of success.



We continue to work closely with the Trader Association and have also reached out to key landlords to try and reverse the vacancy issues and ensure an attractive retail offering returns to the area.

Our City Amenity Officers are working closely with the Police and are currently rostered to patrol multiple times throughout the day to enforce alcohol bans and engage with traders and passers-by.

The issues involving the Plaza are multilayered and need to be resolved in partnership with Victoria Police, agencies outreach programs and with the community reporting incidents to Victoria Police. Council will continue to investigate and invest in strategies for long term sustainable changes.

6. SEALING SCHEDULE

Nil.

7. PETITIONS AND JOINT LETTERS

7.1 Petition – Protect Pedestrian’s Right to Safety on Footpaths

A Petition containing 1,103 signatures, was received from residents of the City of Melbourne and the City of Port Phillip Council Areas.

MOVED Crs Baxter/Martin

That Council:

1. Thanks the petitioners for their concern and the information that they have sent to Council and notes this Council will seek to include this in the evaluation report for the trial of shared e-scooters.
2. Continues to clearly articulate to users and the community through Council platforms and programs the correct and safe riding behaviour.
3. Continues to advocate to the State Government for clear communication of the Road Rules in relation to the use of bikes, motorbikes and e-scooters on footpaths and other public spaces.
4. Continues to advocate to the State Government to introduce measures that ensure that e-scooters do not impinge the safety of vulnerable road users.
5. Works with shared e-scooter operators on improved communication to riders of shared devices to clearly articulate the rules for riding to address rider behaviour and safety concerns.
6. Supports a partnership with Victoria Police and Department Transport and Planning to promote education programs, surveillance, enforcement and compliance measures to improve road user behaviour and safety.
7. Provides a submission to the Victorian Legislative Assembly Economy and Infrastructure Committee’s current inquiry into the impact of road behaviours on the safety of vulnerable road users.



8. Will present final findings from the Victorian Government evaluation of e-scooters and recommendations for regulatory change to Council when available.
9. Notes that Council uses local law Clause 49 – ‘interfering with council assets’ to control obstructions and our impounding process allows Council to remove dangerous items quickly, for example bikes and signage chained to our assets blocking the street, and has an agreement with the operators of shared e-scooters and shared e-bikes for removal where they are obstructing the footpaths or in no parking zones, and Council can impound these if no action is taken.

A vote was taken and the MOTION was CARRIED.

8. PRESENTATION OF CEO REPORT

Nil.

9. INCLUSIVE PORT PHILLIP

9.1 Older Persons Advisory Committee Annual Report 2022

Purpose

- 1.1 To present the Older Persons Advisory Committee (OPAC) Annual Report for 2022 for endorsement (attachment 1) which informs Council of the achievements over the period January to December 2022.

MOVED Crs Martin/Baxter

That Council:

- 3.1 Endorse the Older Persons Advisory Committee Annual Report 2022 (attachment 1)
- 3.2 Recognises the value of work undertaken by the Older Persons Advisory Committee (OPAC) as the peak advisory and advocacy body on issues affecting the wellbeing of older people (55 years and over) within the City of Port Phillip.
- 3.3 Acknowledges the on-going work of the OPAC and thank the Committee for its efforts.

A vote was taken and the MOTION was CARRIED unanimously.



10. LIVEABLE PORT PHILLIP

10.1 Cowderoy Street turn ban consultation findings

Out of an abundance of caution, Crs Nyaguy and Sirakoff noted they have an interest in this item due to living within the vicinity, however they did not consider it a Conflict of Interest and remained in the chamber.

Purpose

- 1.1 To advise Council of the outcome of a community consultation for a proposed trial of a no right turn restriction 4:30 – 6:30pm, Monday to Friday from Canterbury Road to Cowderoy Street, St Kilda West.
- 1.2 To provide a recommendation on whether to proceed with the trial.

MOVED Crs Nyaguy/Martin

That Council:

- 3.1 Notes that there is community desire to resolve evening peak hour rat running in the St Kilda West Area.
- 3.2 Endorses a 6-month trial, between July – December 2023, of a no right turn restriction from 4:30 – 6:30pm, Monday to Friday from Canterbury Road to Cowderoy Street, St Kilda West.
- 3.3 Requests that officers evaluate the 6-month trial and provide a report to Council on traffic measures required to further reduce the evening peak rat running in the St Kilda West Area.
- 3.4 Requests officers continue to work with the Department of Transport Planning to find ways of keeping through traffic on declared roads (Canterbury Road) and away from the West Kilda Area.
- 3.5 Advises all residents that made submissions of Council's resolution and thanks them for their contribution.

A vote was taken and the MOTION was CARRIED.

10.2 Draft Spatial Economic and Employment Framework

Purpose

- 1.1 To seek Council endorsement of the draft Spatial Economic and Employment Framework (SEEF) and supporting technical report for public engagement.

MOVED Crs Pearl/Nyaguy

That Council:

- 3.1 Notes the report on the Draft Spatial Economic and Employment Framework
- 3.2 Endorses the Draft Spatial Economic and Employment Framework (attachment 1) for the purposes of public engagement



- 3.3 Endorses the Technical report (attachment 2) as a supporting document for draft Spatial Economic and Employment Framework for the purpose of public engagement and
- 3.4 Authorises the Chief Executive Officer (or delegate) to finalise and make minor changes that do not materially alter the Draft Spatial Economic and Employment Framework (attachment 1) for the purposes of enabling public engagement.

A vote was taken and the MOTION was CARRIED unanimously.

11. SUSTAINABLE PORT PHILLIP

11.1 EcoCentre Redevelopment Update

Purpose

- 1.1 To advise Councillors of the award of tender RFT000179 for the 'Port Phillip EcoCentre Redevelopment' and the timeline for construction.

MOVED Crs Martin/Nyaguy

That Council:

- 3.1 Notes the award of the tender for the construction of the Port Phillip EcoCentre building to Stosius and Staff Constructions Pty Ltd.
- 3.2 Thanks the Victorian Government for its 50% funding contribution toward the EcoCentre Redevelopment Project.

A vote was taken and the MOTION was CARRIED.

12. VIBRANT PORT PHILLIP

Nil.

13. WELL GOVERNED PORT PHILLIP

13.1 Councillor Expenses Monthly Reporting - December 2022, and January, February & March 2023

Purpose

- 1.1 To report on the expenses incurred by Councillors during December 2022, and January, February & March 2023, in accordance with the Councillor Expenses and Support Policy.

MOVED Crs Martin/Pearl

That Council:



- 3.1 Notes the monthly Councillor expenses report for December 2022 (attachment 1) and that this will be made available on Council's website.
- 3.2 Notes the monthly Councillor expenses report for January 2023 (attachment 2) and that this will be made available on Council's website.
- 3.3 Notes the monthly Councillor expenses report for February 2023 (attachment 3) and that this will be made available on Council's website.
- 3.4 Notes the monthly Councillor expenses report for March 2023 (attachment 4) and that this will be made available on Council's website.

A vote was taken and the MOTION was CARRIED unanimously.

13.2 Financial Update - Third Quarter 2022-23 Financial Review

Purpose

- 1.1 To provide Council with an overview of the results of the third quarter 2022/23 performance against budget and to note approval of one unbudgeted item to be funded from the surplus.

Cr Pearl declared a Conflict of Interest in relation to item 3.3 of the resolution due to a close association with the chairperson and a board member of the National Theatre. Cr Pearl left the chamber at 8:16pm.

MOVED Crs Cunsolo/Baxter

That Council:

- 3.1 Notes that following the third quarter financial review 2022/23 the Council is projecting a full year cumulative cash surplus of \$7.92 million which compares favourably to Budget 2022/23 by \$6.4 million and is consistent with the draft Budget 2023/24.
 - 3.1.1 Notes attachment 1 – Financial Statements with accompanying explanatory notes.
 - 3.1.2 Notes Attachment 2 – material portfolio achievements, high risk projects and deferrals including key reasons identified during the Third Quarter.
- 3.2 Notes that up to \$20,000 of additional funding has been allocated to the expansion of the Early Education Grants Program which will result in an updated cash surplus of \$7.90 million for 2022/23.
- 3.3 Agrees to waive up to \$25,000 of street occupation permit fees to be incurred by the National Theatre for the duration of their front awning building upgrade works.

A vote was taken and the MOTION was CARRIED.

Cr Pearl returned to the chamber at 8:22pm.



14. NOTICES OF MOTION

Nil.

15. REPORTS BY COUNCILLOR DELEGATES

Cr Martin reported to Council as the delegate on the Bubup Womindjeka Family and Children's Centre Board who recently declared two initial life members, two stalwarts of the board, Glenn Staunton and Bernadene Voss. Cr Martin particularly acknowledged Bernadene's amazing work on that board who recently stepped down from the Committee after eleven years of service. Cr Martin congratulated Bernadene who started on the board, initially as a Councillor delegate and then as Mayor, stayed on as secretary and has now been declared a life member.

16. URGENT BUSINESS

Nil.

17. CONFIDENTIAL MATTERS

Nil.

As there was no further business the meeting closed at 8.23pm.

Confirmed: 17 May 2023

Chairperson _____